

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

HOWARD DELACRUZ-BANCROFT,

Plaintiff,

vs.

Civ. No. 23-23 KRS/KK

FIELD NATION, LLC, *et al.*,

Defendants.

ORDER TO CURE

THIS MATTER is before the Court *sua sponte* following its review of Defendant Field Nation, LLC’s Notice of Removal to Federal Court (Doc. 1) (“Notice”), filed January 9, 2023.

To remove a civil action from state court to this Court, a defendant must file “a notice of removal … containing a short and plain statement of the grounds for removal.” 28 U.S.C. § 1446(a). Here, removing Defendant Field Nation, LLC, has not filed a notice of removal that contains a short and plain statement of the grounds for removal.¹ (*See generally* Doc. 1.) Nor has Defendant amended its Notice or otherwise supplemented the record to include a notice that contains the required statement.

IT IS THEREFORE ORDERED that, by **Wednesday, January 25, 2023**, Defendant Field Nation, LLC, shall amend its Notice of Removal to Federal Court (Doc. 1) to include a notice of removal that contains a short and plain statement of the grounds for removal.

IT IS FURTHER ORDERED that if Defendant fails to timely amend its Notice as directed, the Court may remand this matter without further notice for failure to comply with this Order.

¹ Rather, it appears that Defendant inadvertently filed a Notice of Removal to Federal Court directed to the Second Judicial District Court for the County of Bernalillo, State of New Mexico, twice. (*See* Doc. 1 and Doc. 1-3.)

IT IS SO ORDERED.



Kirtan Khalsa
KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE